Metropolitan Street Railway, Reading pre-

\$4,000; George E. Copper, Boston, \$3,000;

Charles Hubbeil, Philadelphia, \$2,800, and

Charles R. Dumont, New York, \$2,800.

Dumont, Mr. Billington says, swore out a

warrant for Mansfield's arrest in a crimi-

the country. He used to send out through

the mails a circular letter to thousands of

persons advising investments in certain

legend: "Capital stock \$100,000—all paid in."

bankruptcy petition against the firm, but

there were no assets except office furnish-

represented a group of the losers.

ings.

trace of him.

an estrangement.

might be the last.

Leiter estate.

relations."

Auditorium Annex instead

After the smash the creditors filed a

John T. Mansfield, father of J. H., van-

ished simultaneously with his son and had

the discretion to stay vanished. The de-

tectives have never been able to get any

parently he has not spent all his money.

looking when the deputy sheriff got him.

LEITER-CURZON COOLNESS?

Chicago Gossips Hint at Differences Over

Settlement of Marriage Portion

daughters, the Countess of Suffolk and Mrs.

opportunity to guess that there has been

It is hinted that is the outgrowth of the

disbursement of the \$1,500,000 marriage

settlement. To-day, when it was learned

that Lord Curzon sailed on a different

steamer from that taken by his relatives,

The morning after Lord Curzon's arrival

n Chicago Joe Leiter, his brother-in-law,

left the city for a "routine visit" to his coal

mines at Zeigler, Ill., notwithstanding it

was only the second visit his distinguished

relative ever had made to Chicago and

Joe did not invite Lord Curzon to be the

guest at his apartments, 234 Lincoln Park

Joe Leiter spent only five minutes with

his brother-in-law, according to his own

admission, during the latter's stay in Chi-

When Lord Curzon was in Washington

he did not visit the Leiter home, but was a

guest at the residence of the Persian Am-

bassador, although Mrs. Leiter and her

daughter were in the city and the beautiful

home in Dupont Circle was open at the

Another fact is that Joe Leiter took prac-

tically no part in the financial conferences

with Lord Curson, but left that matter

"Well, I hadn't thought of that, but I

PASSENGER ENGINE DITCHED.

collision on Northern Railroad of New

Jersey-Engineer and Fireman Hurt.

NYACK, Dec. 21.-A collision occurred

on the Northern Railroad of New Jersey

a quarter of a mile south of the Nyack

station early this evening, being the third

collision on the Erie's lines in Rockland

The regular passenger train which leaves

Nyack for New York at 6:17 P M. left

promptly on time with apparently a clear

track ahead and a goodly number of pas-

sengers. Alonzo Jewell, the yardman

here who runs the switch engine, in putting

away cars for the night was running down

another track ahead of the passenger train

When he reached the switch, which

crosses the main track on which the pas-

senger train was running, instead of

stopping to let the train go by he ran a

short distance on the main track. The

passenger engine crashed into the side

of the switch engine and was thrown to one

side of the track to the edge of a deep ditch,

Engineer Frederick, Handy of the pas-

senger train reversed his engine as soon

as he saw a collision was imminent, but

could not avert the crash. He was hurled

out of the engine to the bottom of the ditch

and was badly hurt, but will probably re-

cover. George Davis, the fireman, had

one of his hands crushed. Mail Agent

Morrison, who was on the passenger train,

had his nose broken, and two passengers

were slightly hurt The track was blocked

for several hours and passengers who

came up from the city were obliged to leave

their train at South Nyack and walk a

MANHATTAN BEACH SOLD.

Brings \$1,100,000 Under Foreclosure

-May Be Laid Out in Villas.

Company, including the big strip of beach

extending from Brighton Beach to Coney

Island Inlet, the Manhattan Beach and

Oriental Hotels, the fireworks enclosure

auction yesterday in Brooklyn under fore

closure proceedings instituted by the Title Guarantee and Trust Company. There was only one bid. \$1,100,000, that of George C.

than the mortgages on the property.

President Austin Corbin, Jr., of the com-

pany said he was interested in the pur-

up into lots. It is the opinion of real estate men that ultimately Manhattan Beach will be converted into a section of handsome

villas, similar in some respects to the Sea Gate settlement, on the extreme west end

After all. Usher's the Scotch

Deerfoot Farm Sausages.

Made of the tender meat of dairy fed. fat. young porkers. daintily seasoned with selected spices. Try a two-pound package. Beware of imitations.—Adv.

chase. He also said that the property might be continued as a resort or else cut

The property of the Manhattan Beach

county within a week

to the switch.

where it stopped.

boulevard, but arranged for a suite at the

the following incidents were recalled:

CHICAGO, Dec. 21 .- A series of incidents

Mansfield is not over 27 years old. Ap-

he was well dressed and prosperous

George H. Earle of 1 Nassau street

Mansfield's operations extended all over

This was called "Mansfield's Red

Under the firm name it bore the

nal action charging embezzlement.

++NEW YORK. SATURDAY, DECEMBER 22, 1906, -Copyright, 1908, by The Sun Printing, and Publishing Association.

J. H. MANSFIELD ARRESTED ON A CIVIL PROCESS.

FUGITIVE "BROKER" CAUGHT.

Turned t p in the Office Building Where He once Ran His Bucket Shop and Is Nabbed-Began His Career in New England, Then Found a New Field Here.

They got J. H. Mansfield yesterday. He was the senior partner of the firm of J. H. Mansfield & Co., which used to do what it called a brokerage business at 41 Broadway. He disappeared on July 29, pos, leaving a numerous company of redulous persons who declared that he had got away with their money, the total amounting to something like \$150,000.

Mansfield owes his capture to the fact that something led him incautiously to revisit the glimpses of his former financial triumphs. He had been hunted vainly by detectives employed by his creditors for a year and a half, and if security had not made him overbold he might never have been caught. He was arrested yestenday noon at 44 Broadway in a civil suit and later was released on bail.

The complaint on which the arrest was made was signed by Charles Schmeiser, who lieges that Mansfield got away with \$5,000 that belonged to him in connection with various stock operations he made through Mansfield's firm. Reno R. Billington, a lawyer, also of 14 Broadway, is counsel for schmeiser and for twenty other complainants, all of whom once did business with Mansfield and whose losses amount to \$50,000.

When Mansfield tacked a little sign up ver his door a year and a half ago anouncing that the firm has suspended nany persons wished to interview him, but he had departed, leaving no address either at the office or at the Raleigh, 7 West Ninety-second street, where he had lived. Detectives were promptly hired and they traced the fugitive to the Saranac region and thence to Montreal, where he stayed at the Hotel Frontenac with a young woman named Violet, with whom he had been frequently seen in Broadway's all night restaurants.

Thence the trail led to Boston, but he hear the detectives out of that city by twenty-four hours, and the next heard of im was from Paris and Monte Carlo. After that the ground of the Continent apparently opened and swallowed him up, for nothing further was heard of him until Thursday morning, when a clerk in Mr. Billington's employ recognized him in a corridor at 44 Broadway. Mr. Billington at once got a warrant for his arrest from Justice Vernon M. Davis of the Supreme Court, but by the ime Deputy Sheriff Cruise arrived Mansfield had again disappeared.

But he resembled the cat of lyric fame He couldn't stay away. A detective found him in a lower Broadway saloon yesterday morning and followed him to the Tower Building, at 50 Broadway. Mansfield became suspicious that he was being followed and turned on the detective, inquiring:

"Are you Mr. Billington?" The detective said he wasn't, whereupon Mansfield took to his heels and ran through the passage that connects 50 Broadway with 44 Broadway. The detective came down to the street and told the deputy sheriff, who hustled up to the top of 44 and ntered Mansfield just as he into the elevator.

"I want you," said Cruise. "All right," said Mansfield amiably "Here I am."

truise took his prisoner before Justice Pavis, who held him in \$2,500 bail, which

was furnished. To the little town of Rockland, Mass New York is indebted for J. H. Mansfield. Before coming here Mansfield ran a broker age office there with John T. Ball. The firm failed and a number of people lost money by the failure. Before that Mansfield had managed a North Attleboro paper

called the Inily Leader. Finding the limitations of New England too confining, Mansfield came to New York, and on March 1, 1905, filed articles of incorporation in this State of J. H. Mansfield & Co., bankers. The incorporators were J. H. Mansfield, his father, John T. Mansfield, and Rosetta I. Bressler. Miss Bressler was merely the firm's stenographer. Nobody blames her for what subsequently happened, though in all the suits against Mansfield she and Mansfield père are named as codefendants.

Farly in the following May the firm opened offices on the third floor of 44 Broadway and began to advertise largely in various newspapers, making the usual alluring promises of big profits on small investments and alleging that the firm had numerous sources of "inside information" as to how the market was to be manipulated from time to time. "That means revenue for us and profits for you," said J. H. Mansfield & Co. Part of this statement turned out to be strictly accurate. Splendid accommodations for lady traders. Private telephones and telegraphs, exchanges, tickers, unrivalled brokerage and all information letters," read one advertise

There were, in fact, special arrangements for the accommodation of women with money to spend. Mrs. M. M. Folliett was placed in charge of this department. Lawyer Billington says Mrs. Folliett was one of E. S. Dean & Co.'s most valuable employees. However that may be, the "ladies' department" of J. H. Mansfield & Co. did a thriving business

According to Lawyer Billington, the advertisement alleging the possession of private telephones was a statement of plain fact. He says the telephones were so private that the wires of most of them terminated under the carpet of the room where they were installed. The scheme employed, says the lawyer, was the anciently successful one of pretending to call up some reputable and powerful stock trader and conducting an imaginary conversation with him in which the clients sitting about the room were led to believe valuable information was received.

Money came in fast from the very start; but the firm retained so much of what came in that some of its clients grew sus picious. Several of these confided their uspicions to Mr. Billington, who pressed Mansfield for a settlement. The latter put the lawyer off on one pretext or another ntil Mr. Billington grew importunate. Then late in the evening of July 29 Mansfield locked the doors, nailed up his little sign and 44 Broadway knew him no more ntil last Thursday.

The complainant in the suit upon which the arrest was made says that the books

of the firm show a profit on his account of CONNECTING R. R. IS ASSURED \$1,712.50 made in Louisville and Nashville,

ferred and other stocks, and that this, with his investment, amounts to \$5,000. Others PENNA. R. R. AND CITY OFFICIALS whom Mr. Billington represents, and their REACH AN AGREEMENT. claims, are T. Baker Hall, of Freeport, N. J.,

City's Compensation Only 10 Per Cent. More Than First Proposed, but the Art Commission Will Have a Look in on the Bridge Job-Year's Deadlock Ends.

The deadlock which has existed for more than a year between the Pennsylvania Railroad Company and the city over the terms upon which the franchise for the New York Connecting Railroad should be granted has been ended. Mayor McClellan. Vice-President Samuel Rea of the Pennsylvania and representatives of the Rapid Transit Commission, the Corporation Counsel and the dock department reached an agreement at a long conference held yesterday.

The proposed line has been planned to form a link between the Pennsylvania and the New Haven and Hartford railroads and is to be operated in conjunction with the tunnel which the Pennsylvania is now building between Jersey City and Long Island City, if it should be decided to use the new line for passenger traffic; but the stated purpose is for the present, at least,

to use the new line for freight traffic. It is intended to carry freight from Jersey City across the bay to Bay Ridge, where connected with the recent visit to America the freight cars will be carried over the of Lord Curzon, culminating in his depart-Long Island Railroad tracks to Sunnyside, ure for England on a different vessel from a suburb of Long Island City. From that that taken by Mrs. Levi Z. Leiter and her point the new line will start. By means of viaduct the line will be taken to a spot Colin Campbell, has given Chicago people opposite Ward's Island and will be stretched across the East River by means of a bridge 150 feet high, with supports on Ward's Island and then extending from the island to the settlement of Lady Curzon's estate and the

Mott Haven yards of the New Haven. The Rapid Transit Commission approved of the application and was prepared to grant the franchise, but the Aldermen, who at that time had a voice in franchise matters, a power which the Legislature has since deprived them of, held up the grant. When the franchise authority of the Aldermen was vested in the Board of Estimate that body also refused to agree to grant the franchise on the terms which had been accepted by the Rapid Transit Commission. The commission consented to give the franchise to the company for a total payment of about \$1,125,000 for the first twenty-five year term of the franchise. It was also agreed that in readjusting the terms at the end of that period, if no agreement could be reached, the Appellate Division should be the arbiter. When the application reached the Board of Estimate that body exactly doubled the amount of the compensation; it was insisted that the adjustment at the end of twenty-five years should be fixed by a city commission; the company was asked to undertake the ex-

pense of street openings which might be

made through the marsh lands in Queens

and many restrictions were imposed, such

as charging not more than five cents for

the carrying of passengers between the almost entirely in the hands of Robert T boroughs, the providing of footpaths across Lincoln, who is one of the executors of the the bridge and the use of electricity for motive power. Joe Leiter to-day pooh-poohed the idea The company refused to accept these conof an entrangement, and laughed at the ditions and for more than a year the project story. He admitted, however, that the has remained in abeyance. Of late, how-Washington incidents "looked funny ever, there has been a growing demand When asked if he did not think it was odd from people on the other side of the East that he should have looked after routine River that the city should permit the build business at a time when his famous relaing of the road. The mere announcement tive was in the city, probably for the last of the plans of the company has greatly

through which the line will pass. assure you it had nothing to do with our Two weeks ago the Pennsylvania company applied to the Board of Estimate for permission to close several streets in the Sunnyside section of Queens to provide erminal facilities for the new tunnel railroad, Mayor McClellan took advantage of this to bring about a reopening of the negotiations. The Pennsylvania responded and the agreement is the outcome.

added to property values in the district

In a statement issued yesterday on behalf of the Mayor it was asserted that the city had got the best end of the deal, but as a matter of fact the company seems to have secured the advantage on the more important points of dispute. Part of this statement reads:

The railroad grants an increase in money compensation of 10 per cent, over the terms offered the road by the Rapid Transit Com-mission. These are the terms which the Mayor took issue with at the time. The railroad's contention in refusing additional compensation then was that the city would be largely compensated by the great increase in the value of property by this great public improvement. This argument was purely hypothetical when it was made. Since then, in mere anticipation of the construction of the road, property values along its route have increased 35 per cent., ample evidence of the soundness of the railroad's argument. With this proof before him the Mayor felt justified in fixing the money compensation at an amount 10 per cent. in excess of the terms proposed by the Rapid Transit Com-

The happy result of this conference justifies the delay which was necessary to get terms fair to the city. The plans for the bridge, and any and all passenger stations which may be erected, are to be referred to the art commission for approval. All advertising matter on the property of the railroad company is to be excluded, and the company agrees to pay the cost of any additional work made necessary by their construction in the regrading of streets or the rebuilding of any portion of the sewer system affected in the boroughs through which the railroad

An important advantage obtained the company is that the readjustment of terms at the end of every twenty-five years is to be determined by the Appellate Divison should the city authorities and the company fail to agree upon terms. The effect of this will be to prevent any forfeiture of the franchise by the city in case of dispute. Further, in the matter of street openings the company is not asked to bear the whole of the cost the whole of the cost, as was demanded by the Board of Estimate. No attempt was made at the conference to compel the company to provide roads on its bridge for foot and vehicular traffic.

Austin, an attorney of 142 Broadway, who was acting for the Manhattan Beach Securities Company. The bid was \$400,000 less TILLMAN AGREES WITH FORAKER Says the President Has No Right to Punish Innocent Soldiers.

> Marion, Ohio, Dec. 21.-In an interview here to-day Senator Tillman, who spoke to-night on the race problem, upheld Senator Foraker in his stand against the President in the Brownsville affair.
>
> Asked what he thought of Foraker's latest speech on the subject, Tillman replied:

"Well, Foraker and I are of the same opinion. I don't believe President Roosevelt can punish an innocent man, whether black or white. Roosevelt wants to be the national Government. He overrode the law

NEGRO SHOOTS HIS OFFICER.

The Latter, Capt. Mackiln, Commanded Company at Brownsville. FORT RENO, Okla., Dec. 21.-Capt. Edgar

A. Macklin was shot and dangerously wounded here to-night by a member of his company of the Twenty-fifth Infantry. It was a negro soldier who did the shooting.

Capt. Macklin and his wife and child were preparing to seat themselves for their evening meal when some one rapped on the side door of the residence.

"Who is there?" inquired Macklin. "Come to the back door and you will see," was the response.

Macklin went to the back door and upon opening it was covered with a revolver in the hands of a negro wearing a mask.

The negro commanded him to throw up his hands and give up his money. Capt. Macklin did as ordered, and no sooner were his hands raised than three shots were fired in rapid succession.

The Captain is dangerously, if not fatally, wounded Two shots took effect in his left jaw and one in the abdomen.

Capt. Edgar A. Macklin is commander of C Company of the Twenty-fifth Infantry, one of the companies of negro soldiers recently discharged without honor by the order of the President. Capt. Macklin enlisted in the ranks and received a commission in 1898. He saw service in the Philippines and was one of the officers who served under Gen. Jacob Smith in the first campaign against the natives in Samar.

Macklin was the officer of the day at Fort Brown the night of the Brownsville, Tex.; riot which caused the discharge of the three negro companies. Of the officers of the battalion Capt. Macklin and Major Penrose were ordered tried by court-martial.

Capt, Macklin is the son of a retired Brigadier-General. His wife is a daughter of Bishop Atwell of Kansas City, Mo

N. Y. CENTRAL TRAIN DERAILED. Driving Rod Snaps and Eight Cars and Locomotive Leave Rails.

Boston, Dec. 21.-The 4 o'clock train from New York for Boston over the Boston and Albany division of the New York Central Railroad was derailed near the Allston station at 10:20 to-night.

With the exception of one locomotive, the entire train left the rails, but no one was killed. Some passengers were severely shaken, cut by flying glass and bruised, but not seriously enough to necessitate the immediate attention of physicians.

One of the brakemen had his arm broken. The train, which consisted of eight cars, drawn by two locomotives, was late reaching Allston and was going at high speed. The driving rod on the second locomotive, a big mogul, snapped and the whirling end derailed the train, with the exception of the forward locomotive.

None of the cars was overturned, but bumping over the ties smashed the windows and threw some of the passengers to the floor.

The train ran several hundred yards before it came to a stop. Then the frightened passengers left the cars. All were able to get out unassisted. One baggage car was thrown thirty feet from its trucks, blocking the tracks for some time.

HICKS STILL IN HIS DEEP TOMB. Rescuers Working Near Him Encounter Dangerous Loose Earth.

BAKERSFIELD, Cal., Dec. 21.-It is now two weeks since the cavein at the Edison Electric Company's tunnel in which six miners were buried alive, and it is more than ten days since the discovery that L. B. Hicks, one of the miners who was swallowed up in the avalanche of earth, stones and timber, was alive. Despite the hopes that Hicks would be

freed from time to time, obstacles have just as often appeared to baffle the workers. Late this afternoon when the gangs of rescuers were changed it was the belief of all that Hicks would be released to-night. The rescuers are still under the tramcar that covers Hicks and in the most dangerous spot they have yet found.

All night the men have been pushed back by falling earth and every move made forward seemed to endanger Hicks as well as themselves.

Hicks gave useful directions and told his companions that dirt was falling on his face whenever they took away substance from beneath the rails. Little if any progress was made during the last twentyfour hours on account of this unstable condition so close to the entombed man. Hicks received nourishment through the tube as usual. He is bearing up bravely and although he has not closed his eyes the last forty-eight hours he is apparently in good physical condition.

BLAME FORGERIES ON A WOMAN. Wife of Waynesburg Bank Official May Be Arrested-Girl Clerks Dismissed.

PITTSBURG, Dec. 21.—It is now alleged that most of the forged notes of the Farmers and Drovers' National Bank of Waynesburg were executed by a woman, the wife of one of the officials of the bank, and that she will be arrested.

It was also announced to-day that the seven young women clerks who were in the bank under Cashier J. B. F. Rinehart are under suspicion and that they may be implicated in the failure. These young women were all dismissed by Bank Examiner Cunningham when he took charge of the bank's affairs.

To-day J. V. Thompson of Uniontown took 200 acres of coal land off the hands of Rinehart for \$20,000. The money was immediately applied to the two \$10,000 notes held by the Greensburg Trust Company, whereupon the latter withdrew the charge of forgery against Rinehart.

This afternoon a Baltimore trust company in which Rinehart had \$100,000 of stock, wired him offering \$90,000 cash for his holdings. Rinehart immediately accepted the offer.

In an interview here to-day Rinehart declares that politics was responsible for the failure of the bank. He declares he is the failure of the bank. He declares he is innocent of any wrongdoing, but admits that he might have been negligent. He insists, however, that the affairs of the bank will be straightened out and that no person will lose a penny.

Latest by Marconi Wireless

s Philadelphia, for New York, was reported by cless 150 miles east of Nantucket lightship at P. M. yesterday.

PINEHURST-CAMDEN-FLORIDA oard Air Line; shortest, quickest, pleasantes Office 1183 Broadway, New York.—Ade, KEEP IN KILBURN'S PLACE.

HUGHES PICKS A NEW STATE BANK SUPERINTENDENT.

Will Appoint Charles H. Keep. Now an Assistant Secretary of the Treasury -Hasn't Yet Decided on the Man to Take N. V. V. Franchet's Place.

Governor-elect Hughes announced last night that it was his intention to appoint Charles H. Keep of Buffalo, now an Assistant Secretary of the Treasury, to the office of State Superintendent of Banks to succeed F. D. Kilburn of Malone, who will resign at the end of the year.

Just after the election Mr. Kilburn sent word to Mr. Hughes that he would give up his place before the beginning of the new year in order to leave the Governorelect free to appoint a new head of the department. Mr. Keep's nomination will have to be confirmed by the State Senate. In making known last night the selection of Mr. Keep the Governor-elect said:

It has been most gratifying to me to secure the services of Mr. Keep for the important position of Superintendent of Banks. He represents the best type of public official, and is a man of the highest character and of rare administrative efficiency. He is a resident of Buffalo, an expert in financial matters, and his departmental work in Washington, I am informed, has been of the greatest value. Mr. Keep has agreed to accept the position at my

Mr. Keep was born in Lockport, N. Y., in 1861. He graduated from Harvard in 1882 and from Harvard Law School in 1885. He practised law in Buffalo from that year until 1903, when he was appointed an Assistant Secretary in the United States Treasury Department. The salary of this office is \$4,500. As State Superintendent of Banks he will receive \$7,000 a year.

earnest solicitation.

Governor-elect Hughes told his friends that he had not yet selected the man for State Superintendent of Public Works, to succeed Nicholas V. V. Franchot, Only three names have been under consideration for this place, Henry A. Van Alstyne Winslow M. Mead and McDougall Hawkes Mr. Van Alstyne is the candidate of the Odell-Payn wing of the party, Mr. Mead is the candidate of George W. Aldridge and his friends, and Mr. Hawkes has had a certain support from President Parsons of the Republican county committee

The statement was made last night that Mr. Hughes, who is to leave for Albany on Thursday, will not seriously consider the appointment of the successor to Mr. Franchot until he arrives there, and even then he may not make a selection for some time, but that the department could be run by Mr. Mead, the Deputy Superintendent until a permanent selection is made. The point was made that Frederick Skene, the new Democratic State Engineer and Surveyor, is to some extent in experienced, and that it is quite necessary that the State Superintendent of Public Works should be a man familiar with the doings on the canals.

BANK CLERKS' CHRISTMAS.

First National Will Make Salary Increases as Gifts.

The First National Bank vesterday anlent among most of the Wall Street banks of distributing year end gratuities among employees. The Christmas bonus, amounting to from 5 to 10 per cent. of salaries, will be distributed this year as usual, but on salary scale affecting most of the employees, and similar salary increases will in succeeding years take the place of Christmas gifts. The advances in salary for the year to come will range from 20 to 25 per cent

The management of the bank considers that employees will be more benefited by increases in salary than by bonuses in a lump sum at the end of the year. The salary increases will be rated according to length of service. The largest beneficiaries during the coming year will be William J. Nevius and S. W. M. Bishop, both of whom have been appointed assistant cashiers. The former is head of the loan department and the latter in charge of the transfer division. Both have been in the employ of the bank more than thirty years.

Christmas gratuities were distributed by many of the Wall Street banks and private banking houses yesterday. Generally these amounted to 5 per cent. of a clerk's salary where service covered less than ten years, and to 10 per cent. for those whose tenure was longer. In some cases bonuses amounting to 50 per cent. of the annual salary were given. In others they were regulated on a rofit sharing basis as well as by tenure

SHOT AT JUDGE IN COURT HOUSE. Dissatisfied Litigant Fires at Close Range -Quickly Indicted.

CHICAGO, Dec. 21.—An attempt to murde

Probate Judge Charles S. Cutting was made in a corridor of the Criminal Court building to-day. The bullet barely missed its mark and

the would-be murderer was struck in the face by the jurist immediately after it was

Frederick Elerbrock was the man tried to kill Judge Cutting. A struggle to disarm Elerbrock followed the shooting, in which Judge Cutting took part. The shooting took place about 9:25 A. M.

when Judge Cutting was entering the building. The assailant, after he had been put in a cell, declared that he shot at the Judge so that a case in which he had figured as litigant might get the attention of the public Elerbrock denied that he contemplated as sassination and insisted his only motive was personal notoriety.
Within two hours after the shot was fired

the matter had been brought to the atten-tion of State's Attorney Healey, taken before the Grand Jury and an indictment returned against Elerbrock, charging as-sault with a deadly weapon with intent to The attempt at murder was made in

front of the elevator on the ground floor when the corridor was crowded. It all came so suddenly, however, that no one but Judge Cutting and a few directly at his side realized what had happened till the pistol shot directed attention to Eler-

Instantly Judge Cutting, who was only four feet away when the shot was fired, turned and struck his assailant a blow in the face, almost knocking him down.
Deputy Sheriff John Broderick and S. A.
Wilson struggled with the man to get possession of the revolver.
Back and forth over the stone floor Judge

Cutting and the Deputy Sheriff struggled with the man. Finally the revolver was taken from him and he fell almost ex-

Burnett's Vanilla Is Pure Food.

NEW WINDOWS IN HIS EYES.

Vienna Surgeon Restores Sight by Trans plantation of Human Cornea.

Special Cable Despatch to THE SUN. VIENNA. Dec. 21.-At a meeting of the Medical Society to-day Dr. Zirm showed a man on whom he had successfully performed transplantation of the cornea.

The patient had lost the sight of both eyes By chance the surgeon had to take out the eve of an eleven-year-old boy. The eye was ruined by a steel splinter in the interior, but the cornea was intact. The operator therefore cut slits in the opaque cornea of the man's eyes and inserted pieces from the boy's eve.

The experiment failed as to the right eye, as the transplanted window also thickened, but in the left eye it retained its transparency and almost normal vision was restored. A very close examination revealed a slight veil over the left eye, which, however, does not prevent the patient from reading small print. From being stone blind he is now able to go about his

The surgeon attributed numberless previous failures to the fact that the cornea. of animals had heretofore been employed. whereas in this case human material was provided.

TELEPHONING FROM A TRAIN. Conversation Carried On From Running Car as Clearly as in City.

LOUISVILLE, Ky., Dec. 21 .- A most succeesful demonstration of telephoning from a moving train was given this morning on the railroad between Worthville and Carrollton by Dr. A. D. Jones of Louisville, the inventor of the appliance. A newspaper reporter, who is with the demonstrating party, called his office shortly before noon and carried on a conversation while the train was running at the rate of twenty miles an hour. The connection was perfect and the service was as good as the regular city service.

Each member of the party conversed with various points in the State and outside. One of the newspaper men called up a New York paper and carried on a conversation as satisfactorily as though located in an adjoining room.

RELIEF FOR BROOKLYN. Governor-Elect Hughes Interested in the

Transportation Problem. The Allied Boards of Trade and Taxpayers' Association of Brooklyn sent a communication recently to Governor-elect Hughes in reference to the pressing necessity of transit reform. Mr. Hughes in his response said:

I should be very glad if some means could found, either through a conference of organizations or in other suitable manner, of expressing the sentiment of the citizens of Brooklyn with regard to the best means for obtaining relief from the present intolerable situation Meanwhile I am giving much thought to the matter, and am desirous to see your transportation problem solved in a satisfactory manner and with the least possible

GAS COMPANY WINS ON APPEAL. Appellate Division Upholds Lower Court

in Refusing an Injunction. The Appellate Division affirmed yesterday without opinion the decision of Supreme Court Justice Bischoff in refusing to grant to Harry Dinkelspiel of 219 East 113th street a peremptory mandamus directing nounced a change from the custom preva- the Consolidated Gas Company to supply

him with gas at 80 cents per thousand feet. Justice Bischoff based his refusal on the ground that there was an issue of fact raised hiding place under the hearth. between the parties concerning the production cost of gas, and that where such January 1 there will go into effect a new | an issue is raised a peremptory mandamus will not be granted on mere affidavits, but only where necessary after a trial.

A large number of similar applications were dependent on the Dinkelspiel case, and the action of the Appellate Division in affirming the decision without opinion is considered a victory by counsel for the gas company.

COWING'S TRIBUTE TO JURIES. Retiring Judge Says That as a Rule They Are Honest.

Judge Rufus B. Cowing, who will retire from General Sessions at the end of the year, paid a tribute to juries yesterday. The December panel of jurors presented to him a silver loving cup and he made a speech, in which he said:

"After having been a Judge for twentyeight years I am convinced of one thing, and that is that jurors as a rule are fair and impartial, and as a rule do their duty."

One of Judge Cowing's last official acts was to suspend sentence on Lawver Frederick F. Nugent, who was convicted of larceny last week. It was explained to Judge Cowing that Nugent had made restitution and his family needed his assistance.

Judge Cowing will practice law with his son, Rufus B. Cowing, Jr., at 49 Wall street,

CONGRESSMEN GO TO PANAMA. senators and Representatives to Investi gate Need of Chinese Labor.

United States Senator Flint of California; Representatives McKinlay and Knowlands of the same State, Representatives Fulkerson of Missouri, Dickerson, Rives, McMinney and Smith of Illinois, Howell of Utah, Kincard of Nebraska and Steenerson of Minnesota sailed yesterday for Colon aboard the Panama steamship Allianca to look into the problem of digging the Panama Canal by Chinese labor.

They will spend five days on the Isthmus. Incidentally they will make an effort to find out whether they believe the canal should be built by contract or by the Government.

EXPRESS CO. ROBBED OF \$30,000. Wells Fargo Treasure Box From Tonopa Mysteriously Stolen at Reno.

RENO, NEV., Dec. 21.-Late last night the Wells Fargo & Co. treasure box containing \$30,000 in gold was stolen from the company's office. The gold came from Tonopah in custody

of Express Messenger Edward Crofton. There is much mystery surrounding the robbery and Crofton refuses to discuss the matter. No action has been taken by the company other than placing detectives

on the case. Crofton is not suspected, as he has been in the service of the company many years and has always been straight

PRICE TWO CENTS. ROOSEVELT HAD HER BURIED

AND ACCEPTED THE CATS MRS. GROVER BEQUEATHED HIM.

Directs Hunt for Relatives of Suicide Who Made Him Sole Legatee and Who, It Is Found, Left Some Money -Sent Presents

to Teddy, Jr., and Wrote Many Letters.

When Mrs. Lulu B. Grover, a widow; . committed suicide about two weeks ago in her apartment at 2089 Lexington avenue, after she had willed all of her property to President Roosevelt, it was thought that her estate would barely pay the expenses of her funeral. Within the last few days, however, Secret Service agents, cooperating with the Public Administrator under directions from Washington, have found hidden in the apartment about \$1,000 worth of jewelry and a pass book showing between \$600 and \$700 standing to Mrs. Grover's credit in a savings bank. It is possible that other property may be uncovered.

The President has taken steps to have the will probated and the woman's relatives located. The only part of the bequest which he will accept are two Angora cats which were mentioned specifically in the woman's testament. They have already been sent to the White House. The President if the relatives are found, will see that they get the property: if not he will give it to some charitable institution.

Mr. Roosevelt issued instructions, even before it was discovered that the woman had left any property, that she should have a decent burial. She was cremated at Long Island institution in accordance with her written wish and her ashes were laid away a day or two ago in Woodlawn Comb tery, one or two friends, the undertaker and a Secret Service agent being the only mourners at the funeral.

Some of the developments since the woman ended her life by drinking chloreform became public yesterday, and United States District Attorney Henry L. Stimson. who has been representing the President in the matter, willingly gave the details. Mrs. Grover, it will be recalled, left in her

apartment this letter addressed to the

Coroner, or the first police officer who should find her body I beg of you to telephone to Preside no Roosevelt. He will have my body cremated. I have written to him, have made my will and all I have is his. He will have everything attended to just as lewish it to be, and all

will be right. He knows where to find everything. Please find enclosed \$5 and a thousand thanks for your kindness. Please do not let my poor kittens be frightened or annoyed. President Roosevelt will take them as soon as he receives my letter I mailed to-night to him Please let them stay here until then. My heart is broken, so I take my own life in the familiar way I know, by drinking chloroform. No one is to blame but myself. I trust my spirit and future life to a merciful and loving

God who knows and judges our serrow. The police turned the property over to the Public Administrator after they had searched the rooms and found practically

no valuables except the furniture. The letter referred to in the note to the police was received at the White House the day after the account of the suicide appeared in the newspapers. This letter informed the President that he might find of the "cat basket," and the jewels in a

The President forwarded the letter without delay to Mr. Stimson with orders that he should cooperate with the Secret Service men and turn the will and all the property over to the Public Administrator, The undertaker wrote to the President about this time wanting to know where he should look for his pay, and it was in response to this letter that Mr. Roosevelt instructed District Attorney Stimson, through Secretary Loeb, that the woman should not be

buried in a pauper's grave. A search of the apartment quickly brough to light the things referred to in the letter which Mrs. Grover had written to the President The cat basket was a neat wickers affair lined outside and in with silk, Inc this basket slept Mrs. Grover's two pets Angoras, Magistrate Joseph Pool and Queen Fairy Snowdrop. The bank book

and the will were under the inside lining, The hiding place under the hearth, where the jewels were secreted in a leather handbag, consisted of a niche in the chimney, which was reached by running one's arm up into the smoke vent of the fireplace The jewelry consisted chiefly of small

diamond pieces. The Public Administrator had no difficulty in taking care of these and other inanimate things found in the apartment, but when it came to the cats he was puzzle The will provided explicitly that they should be taken by the President. The people in the house had been caring for them since the woman died and they were beginning to complain.

The public administrator, William M Hoes, held a conference with United States District Attorney Stimson, and the President's representative in turn got into communication with Secretary Loeb. Word came back from Washington to send the cats on, and Joseph Pool and Fairy Queen Snowdrop left this city in the care of veterinary.

The will, having first disposed of the cate; made the President the sole legatee of the estate and also the sole executor. It contained one sentence to the effect that what she bequeathed could not in any measure express her gratitude for the kindnesse which he had done her.

Mr. Stimson said yesterday that Ithe President had no idea of what the woman was referring to in this sentence of the will He did not know who she was and never to his knowledge had met her.

The President's secretary; when letter announcing the existence of the will in Mr. Roosevelt's favor was received, recognized the handwriting of the woman as the same as that on several other letters which the President and members of his family had received in the course of the last

eight or ten years. When Mr. Rooseveit was Governor his son, Theodore, Jr., received three or four presents from Mrs. Grover. One of the presents was a watch, another a compasand a third a gun. At that time the sender of the gifts signed the letters in such a way that it was impossible to tell whether a man or a woman was the writer. Theodore anas "Dear Sir or Dear Madam." Finally Mr. Roosevelt wrote a letter requesting the sender kindly to discontinue the practice. Since then he had heard only once er

FLORIDA INFORMATION BUREAU adway, cor. 30th St. 2 great trains Scientic Coast Line Railroad.—Adv.